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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,093	09/18/2003	Raimo Sepponen	2776-1-001	2245
7590 01/04/2008				
KLAUBER & JACKSON		EXAMINER		
4th Floor		LAURITZEN, AMANDA L		
411 Hackensack Avenue		ART UNIT		
Hackensack, NJ 07601		PAPER NUMBER		
		3737		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,093

Applicant(s)

SEPPONEN, RAIMO

Examiner

Amanda L. Lauritzen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>18 Sept 2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Applicant's claim for the benefit of PCT/FI02/00271 filed March 28, 2002 is acknowledged under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c).

Specification

1. The format of the abstract of the disclosure is objected to. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure:

The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

2. The specification is objected to for lack of clarity. The terminology used, such as the word "exploit" in its context is not conventional in the art. The use of the word "conducted" as in paragraphs 28, 29, 47 and others is improper. ISOLATION means are referenced but it is not clearly delineated what this entails. The disclosure should also be checked for general grammatical and/or spelling errors and corrected as appropriate.

Drawings

3. Fig. 1 (and any others as appropriate) should be labeled as prior art.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phraseology “for example” and “such as” and “may be” are replete throughout the claims and render the claim(s) indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Duensing et al. (US 2003/0160622, now US 6,865,494), or alternatively under 35 U.S.C. 103(a) as being unpatentable over Duensing et al.

Duensing et al. discloses an arrangement for registration of signals, citing at least EKG signals that are acquired in a noisy environment, including while a patient is disposed within a magnetic resonance scanner [0002], [0049], [0147]. The electrodes and associated transmission lines qualify as transducers as claimed. Adequate isolation is achieved between all pairs of

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elements [0035]. Capacitive and/or inductive coupling is described at [0031], [0036], [0039]. Frequency modulation and bandwidth modulation are disclosed at [0034], [0038]. Regarding claim 12, methods for MR imaging of human breast tissue are described at [0074], and it is understood that an apparatus to support the anatomy would necessarily be required, in which case part of the system (here, claimed as "it") is carried on an item "intimately associated" with the patient. Amplifiers in vicinity of transducers are disclosed at [0038]. It is understood that the arrangement disclosed by Duensing et al. necessarily includes some connection means for positioning associated conductive parts. Regarding claim 18, coil(s) are disclosed at [0002]. Regarding claim 18, the system described includes means for collecting image information. Regarding claim 21, surgical operation techniques are accommodated with the system of Duensing and includes means for detection of electron spin resonance.

6. Claims 4, 7, 10, 14, 17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duensing et al. It would have been obvious to one of ordinary skill in the art at the time of invention to provide a transmission line splitting means as EKG necessarily accommodates use of multiple leads and/or electrodes. The power is understood to be time-wise discontinuous, to accommodate breaks in data acquisition, but if it is not necessarily implied it would have been obvious to one of ordinary skill in order to accomplish breaks in data acquisition. Regarding claim 10, it is well known in the art to connect to the Internet and/or establish alternative network connections. Regarding claim 14, it would have been obvious to glue and/or bond the amplifiers disclosed by Duensing.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda L. Lauritzen whose telephone number is (571) 272-4303. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on (571) 272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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